

MILLER ROSADO & ALGIOS, LLP
ATTORNEYS AT LAW

200 OLD COUNTRY ROAD
SUITE 590
MINEOLA, NEW YORK 11501

Louis Algios
Christopher Rosado
Neil A. Miller

(516) 512-0200
FAX: (516) 741-7758

Ezra Huber
of counsel

July 23, 2007

BY FAX (908-647-9301) AND MAIL

Eric M. Underrinner, Esq.
Reppert Kelly, LLC
403 King George Road
Suite 201
Basking Ridge, New Jersey 07920

Re: Oleg Cassini, Inc. v. Weber's 32nd Street Corp.;
Case No. 07 CV 6301 (S.D.N.Y.)

Dear Mr. Underrinner:

This is in response to your letter dated July 19, 2007.

Your letter only reinforces our belief that this lawsuit is an attempted "strong-arm" tactic with no basis in fact or law. You say that your investigation has led you "to conclude that the goods are counterfeit or not intended for sale in this geographic market." Which is it? Your investigator has at least one shirt in his or her possession, so you should be able to state whether the shirt is counterfeit or not.

Many of the very cases you cite in your letter demonstrate that it is insufficient to merely allege that the goods were not intended for sale in this geographic market - there must be an allegation that the goods are materially different from those that are authorized for sale in the United States. Again, you should be able to make that determination from the shirt(s) obtained by your investigator.

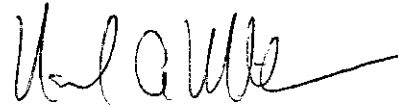
Notably, your complaint does not even make any allegation that the shirts in question are "gray market" goods, let alone allegations to support the test for when "gray market" goods may violate the Lanham Act.

In short, your letter implicitly admits that you cannot now in good faith allege the elements of a proper federal claim. We had previously offered to provide you with the

information you wanted in return for a release or covenant not to sue. You chose to litigate instead. I urge you again to either amend the complaint as of right if you have any good faith basis for making the proper allegations, or to withdraw the action altogether.

My client has confirmed that it had given strict instructions that all Oleg Cassini shirts be pulled from its shelves.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Neil A. Miller", with a long horizontal flourish extending to the right.

Neil A. Miller